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Mayer & Williams PC
 Intellectual Property Law

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Fax – Special Processing Submission

To: Office of Petitions

From: Marjorie Scariati

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Pages: 6

Phone:

Date: 9/1/06

Re: 09/892,212

CC:

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Please see the attached re-submitted Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action, which was originally submitted on May 23, 2005 but has not yet received a decision.

The attached is being resubmitted today in order to indicate it is a "SPECIAL PROCESSING SUBMISSION", and the re-submission includes a copy of the PTO's fax confirmation of receipt of the original submission on May 23, 2005.

Serial No.: 09/892,212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tony S. Kaushal

Serial No.: 09/892,212

Filed: 06/25/2001

Title: EROSION-RESISTANT COMPONENTS FOR PLASMA PROCESS CHAMBERS

Art Unit: 1775

Examiner: Jennifer C. McNeil

Confirm. No.: 1445

Docket No.: 005231 ALRT/ETCH/DRIE

Via Facsimile: 703-308-6916 872-9306

Attn: Office of Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION UNDER 37 CFR 1.181(a) AND
STATEMENT ACCOMPANYING PETITION**

Sir:

This Petition to Withdraw Holding Of Abandonment Based On Failure To Receive Office Action is filed in response to the Notice of Abandonment mailed February 23, 2005.

As per the Notice of Abandonment, the applicant failed to file a response to the Office Action mailed July 28, 2004. This failure to file a response was unintentional as the Office Action was never received by the applicant, Applied Materials, Inc.

Enclosed please find a statement signed by a representative of the Assignee, Applied Materials, Inc., in which the representative states that the Office Action was not received, and attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is enclosed as well.

Serial No.: 09/892,212

In view of the above circumstances, Applicant hereby petitions the Commissioner to grant this Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action. It is respectfully requested that the Notice of Abandonment be withdrawn, and that the Office Action be remailed to the Assignee, Applied Materials, Inc., with a new period for response set to expire 3 months from the mailing date of the remailed Action.

While it is not believed that any fees are due as a result of this Petition to Withdraw Holding of Abandonment, the Commissioner is hereby authorized to charge any fees that may be due to the undersigned attorney's PTO Deposit Account #50-1047.

Respectfully submitted,



David B. Bonham Reg. No. 34,297

Attorney for Applicant
Mayer Fortkort & Williams, PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090

Tel.: 703-433-0510
Fax: 703-433-2362

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document, and any document referenced herein, has been transmitted via facsimile to the US Patent and Trademark Office, Office of Petitions at (703) 308-6916 on 5/23/05.

Maynie Scariati
Maynie Scariati

(Printed Name of Person Faxing Correspondence)

PLEASE CONTINUE TO SEND ALL CORRESPONDENCE TO:

Applied Materials, Inc.
2881 Scott Blvd, M/S 2061
Santa Clara, CA 95050

To The Office of Petitions:

The undersigned states that the Office Action mailed to Applied Materials, Inc. on July 28, 2004 in patent application 09/892,212 was never received at the office of Applied Materials, Inc. A search of the file jacket and docket records confirms that the Office Action mailed July 28, 2004 was never received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is attached hereto.

Signed:



Printed name and title:

Sheri Griffin
Patent Administrator

200

05/23/05 14:01 FAX 408 563 6492

APPLIED MATERIALS

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05/23/2005

Patent Information Print

Docket No 005231
 Country United States
 Case Type REGULAR CASE TYPE
 Relation Type ORIGINAL OR PATENT CASE
 Filing Type NATIONAL CASE
 Filing No
 Attorney Loretta A PETERS
 Law Firm Mayer Fortkort and Williams
 Client/Division Applied Global Services
 Current Owner Applied Materials, Inc.
 Prev Own
 AMW#
 Status APPLICATION IS FILED
 First Filing Dt 06/25/2001
 Sub Stat
 Sub Stat Dt
 Parent Country United States
 Parent Filing Dt 06/25/2001
 Parent No 09/892,212
 Parent Grant Dt
 Total Claims 29
 Ind. Claims 2
 Application # 09/892,212
 Application Dt 06/25/2001
 Patent No
 Grant Dt
 Publication # 2004-0033385
 Publication Dt 02/19/2004
 Assigned ASSIGNMENT RECORDED
 Expiration Dt
 Conv Type
 Tax Base Dt
 Govt Cont

Next Tax Dt
 Associate
 PBG
 Patent Admin
 Orig Office
 Add'l Atty
 OPP PTY
 Add'l Billing Agt
 Ag Ref No
 Rating
 Module
 Assoc Div
 SAP Upload
 Oppn/App No
 Oppn/App Dt
 Reel/Frame
 Assgn Dt
 Reel/Frame #2
 2nd Assign Date
 Archive Loc
 Archive Dt
 AGNT.REF NO #2
 Cust No
 Cnfrm No
 Govt Cont No
 Grp Art Unit
 Verified
 Customer
 Create Dt
 Update Dt
 Update Tm
 Update User
 Update Type

Mayer Fortkort and Williams
 IBSS
 Sheri GRIFFIN

Robert W Mulcahy
 6000/04

11956/0087
 06/25/2001

1445

1733
 N
 AZPP
 06/26/2001
 03/22/2003
 0937
 SRG

Actions

Action
 Act Due Date
 Taken Dt
 DeadLn Dt

INVENTOR FILING AWARD DUE
 07/18/2001

Comp Dt
 Resp Pty #1
 Resp Pty #2

08/01/2001

Action
 Act Due Date
 Taken Dt
 DeadLn Dt

Notice of Missing Parts
 10/15/2001

Comp Dt
 Resp Pty #1
 Resp Pty #2

09/27/2001

Act Notes
 REQUEST WITHDRAWAL OF NMP./DB
 MFW to take care of this. NOMP was sent in error. SIGS was
 e filed on time/sa

Action
 Act Due Date
 Taken Dt
 DeadLn Dt

PCT Search Rpt Publishe-IDS?
 01/15/2003
 11/09/2002

Comp Dt
 Resp Pty #1
 Resp Pty #2

10/06/2003

Act. Notes
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Action
 Act Due Date
 Taken Dt
 DeadLn Dt

Revised Publication Date
 02/19/2004

Comp Dt
 Resp Pty #1
 Resp Pty #2

02/19/2004

Action
 Act Due Date
 Taken Dt
 DeadLn Dt

Official Action Due Date
 04/30/2004
 07/30/2004

Comp Dt
 Resp Pty #1
 Resp Pty #2

04/30/2004

Action
 Act Due Date
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RESPONSE TO ABANDONMENT
 03/23/2005
 03/22/2005

Comp Dt
 Resp Pty #1
 Resp Pty #2

Act Notes
 Copy to Marj @ MFW/SAC

Action
 Act Due Date
 Taken Dt

Supplemental IDS filed

Comp Dt
 Resp Pty #1
 Resp Pty #2

12/02/2002

P.05

Sep 1 2006 14:56

Fax:908-518-7795

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05/23/05 14:01 FAX 408 563 6492

APPLIED MATERIALS

2000

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Action
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Foreign Filing Recommended

Comp Dt
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Resp Pty #2

05/15/2002
Mark O'BOYLE

Action
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Certified Copies ordered fro
05/17/2002

Comp Dt
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Resp Pty #2

07/24/2002

Action
Act Due Date
Taken Dt
DeadLn Dt

Information Disclosure State

Comp Dt
Resp Pty #1
Resp Pty #2

06/25/2001

Action
Act Due Date
Taken Dt
DeadLn Dt

Foreign to be Completed by:

Comp Dt
Resp Pty #1
Resp Pty #2

06/25/2002
Mark O'BOYLE

Act Notes

6/25/2002-FILED TW./DB
6/24/2002-FILED PCT./DB
6/6/2002-BSTZ CONFIRMS REC'T OF INSTR TO FILE PCT./DB
PER MOB, CPS will support, transfer to CPS, file PCT E, J, S
, Malaysia, CHINA, EPC -GERM, FR, UK and
direct in TW, insts to Blakley and TSAI/ea
5/7/2002-SHAN WILL NOT PAY FOR FOREIGN FILING, MADE REQUEST
TO CPS TO ADOPT./DB

Action
Act Due Date

Filing Receipt Received

Comp Dt
Resp Pty #1

11/21/2003